

**SENATE JOURNAL****NINTH DAY****MORNING SESSION**

The Senate was called to order at 10:00 a.m., with President Al Mansell presiding.

**Roll Call**- All Senators present

**Prayer** -President Mary Ellen Smoot, Relief Society General President, Church of Jesus Christ of Latter-Day Saints

**READING OF TITLES OF BILLS AND RESOLUTIONS**  
**(PLEASE REFER TO DAY 1, PAGE 8)**

**COMMUNICATIONS FROM THE HOUSE**

Mr. President: January 22, 2001

The House passed, as amended, **H.B. 25**, CIVIL STALKING AMENDMENTS, by Representative L. Shurtliff, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 49**, VEHICLE SUSPENSION LIFT LAWS, by Representative D. Bowman, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 60**, JUSTICE COURT AMENDMENTS, by Representative B. Goodfellow, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 209**, ISSUANCE OF A DRIVERS LICENSE, by Representative B. Parker, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 218**, STATE HIGHWAY ACCESS MANAGEMENT, by Representative W. Harper, and it is transmitted for consideration.

Carole E. Peterson, Chief Clerk

Communications filed. **H.B. 25**,as amended, **H.B. 49**, as amended, **H.B. 60**, as amended, **Sub. H.B. 209**,and **H.B. 218**, as amended were read the first time and referred to the Rules Committee.

## RULES COMMITTEE REPORTS

To the Members of the Senate: January 22, 2001

The Rules Committee recommends assignment of the following bills to standing committees:

### **Business, Labor & Economic Development**

**S.B. 100** Insurance Law Amendments (L.S. Poulton)

**H.B. 207** Coal Mine Regulation by Labor Commission (G. Adair)

### **Education**

**S.B. 124** Education Resource Centers (B. Evans)

### **Energy, Natural Resources & Agriculture**

**S.B. 50** Property Exempt from Execution (C. Walker)

**H.B. 54** Wildlife - Hunting and Fishing Fees (M. Styler)

### **Health & Environment**

**S.B. 104** Mental Health Practice Amendments (K. Hale)

**S.B. 118** Emergency Management Assistance Act (L. Hillyard)

**H.B. 44** Insurance Department - Health Policy Responsibilities  
(R. Lockhart)

### **Human Services**

**S.B. 111** Conflict of Interest Investigations into Allegation of Child  
Abuse or Neglect (D.C. Buttars)

### **Judiciary**

**S.B. 103** Attempted Murder Amendments (D. Gladwell)

### **Revenue & Taxation**

**S.B. 114** Sales and Use Tax on Public Accommodations and  
Services Taxed by Tribes (M. Dmitrich)

### **State & Local Affairs**

**S.B. 105** State Settlement Agreements Amendments (P. Knudson)

### **Transportation & Public Safety**

**1st Sub. H.B. 57** Traffic Offense Adjudication Amendments (B.  
Goodfellow)

**H.B. 190** Original Issue License Plate Amendments (R. Lockhart)

Michael Waddoups

Rules Committee Chair

Report filed. On motion of Senator Poulton, the committee report was adopted.

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Mr. President: January 22, 2001

The Rules Committee recommends the assignment of the following Resolutions to the second reading calendar:

**S.R. 2** Senate Rules Resolution - Use of Mason's Manual (M. Waddoups)

**H.J.R. 5** Joint Rules Resolution - Reference to Mason's Manual (W. Harper)

Report filed. On motion of Senator Poulton, the committee report was adopted.

### STANDING COMMITTEE REPORTS

The State and Local Affairs Committee recommends **S.B. 39**, PERMISSIVE USE OF COUNTY AND CITY MONEYS, by Senator D.C. Buttars, be replaced and favorably recommends **1st Sub. S.B. 39**, ALLOWABLE USE OF COUNTY AND CITY RESOURCES; and

The State and Local Affairs Committee reports a favorable recommendation on **H.B. 19**, FEES RECODIFICATION, by Representative N. Hansen, et al; and

The State and Local Affairs Committee reports a favorable recommendation on **H.B. 21**, MAILING REQUIREMENTS TO STATE AND POLITICAL SUBDIVISIONS, by Representative R. Barrus, et al; and

The State and Local Affairs Committee reports a favorable recommendation on **H.B. 27**, ELECTRONIC GOVERNMENT SERVICES AMENDMENTS - ADMINISTRATIVE RULES AND PROCEDURES, by Representative R. Siddoway; and

The State and Local Affairs Committee recommends **H.B. 29**, ELECTION LAW - TECHNICAL AMENDMENTS, by Representative B. Holladay, et al, be replaced and favorably recommends **1st Sub. H.B. 29**, ELECTION LAW - TECHNICAL AMENDMENTS with the following amendment:

1. Page 2, Line 53:  
After "President" insert "/Vice President"

Carlene Walker, Chair; and

Mr. President:

January 22, 2001

The Human Services Committee reports a favorable recommendation on **H.B. 33**, CLARIFICATION OF TIME LIMITS FOR REUNIFICATION SERVICES, by Representative M. Throckmorton, with the following amendments:

1. Page 3, Line 78  
Lilac Copy 1-16-2001:  
After "who is" bracket "two years" and insert "36 months"

2. Page 3, Line 79  
Lilac Copy 1-16-2001:  
After “child is” insert “initially” and after “court shall” insert “: (i) hold a permanency hearing eight months after the date of the initial removal, pursuant to Section 78-3a-312; and (ii)”
3. Page 3, Line 80  
Lilac Copy 1-16-2001:  
After “from the” insert “initial”
4. Page3, Line 81  
Lilac Copy 1-16-2001:  
After “plan.” bracket “The burden is upon”
5. Page 3, Lines 82 through 84c:  
Bracket and delete lines 82 through 84c.

John W. “Bill” Hickman, Chair

On motion of Senator Hickman, the committee reports were adopted. **Sub. S.B. 39, H.B. 19, H.B. 21, H.B. 27, H.B. 29**, as amended, and **H.B. 33**, as amended, were placed on Second Reading Calendar.

## INTRODUCTION OF BILLS

### ADOPTION LAW AMENDMENTS

**S.B. 64**

*Terry R. Spencer*

THIS ACT MODIFIES THE TERMINATION OF PARENTAL RIGHTS ACT AND THE ADOPTION ACT. THE ACT EXPANDS THOSE WHO ARE AUTHORIZED TO TAKE CONSENTS OR RELINQUISHMENTS UNDER THE TERMINATION OF PARENTAL RIGHTS ACT TO INCLUDE ANY PERSON WHO IS AUTHORIZED TO TAKE CONSENTS OR RELINQUISHMENTS UNDER THE ADOPTION ACT. THE ACT AMENDS THE ADOPTION ACT TO REQUIRE A FATHER TO FILE AN EXECUTED VOLUNTARY DECLARATION OF PATERNITY WITH THE STATE REGISTRAR OF VITAL STATISTICS AS REQUIRED BY THE VOLUNTARY DECLARATION OF PATERNITY ACT. THE ACT CLARIFIES THAT A NOTICE OF THE COMMENCEMENT OF PATERNITY PROCEEDINGS IS CONSIDERED FILED WHEN THE NOTICE IS ENTERED IN THE REGISTRY OF NOTICES FROM UNMARRIED BIOLOGICAL FATHERS. THE ACT PROVIDES THAT LICENSED EXPERTS IN FAMILY RELATIONS

OF THE STATE WHERE PROSPECTIVE ADOPTIVE PARENTS RESIDE MAY CONDUCT PREPLACEMENT EVALUATIONS. THE ACT ESTABLISHES BACKGROUND CHECK REQUIREMENTS FOR PROSPECTIVE ADOPTIVE PARENTS WHO HAVE NOT BEEN RESIDENTS OF UTAH FOR FIVE CONSECUTIVE YEARS PRECEDING THE TIME OF THE FILING OF A PETITION FOR ADOPTION. THE ACT EXPANDS THE JURISDICTION OF UTAH COURTS TO ALLOW A FAMILY TO FINALIZE AN ADOPTION IN THE UTAH DISTRICT COURT WHERE A CHILD WAS BORN. THE ACT MAKES TECHNICAL CHANGES, was read for the first time and referred to the Rules Committee.

#### **TELEPHONE HARASSMENT AMENDMENTS**

##### **S.B. 141**

*Terry R. Spencer*

THIS ACT MODIFIES THE CRIMINAL CODE BY DELETING LANGUAGE REGARDING THE OFFENSE OF TELEPHONE HARASSMENT THAT HAS BEEN FOUND UNCONSTITUTIONAL BY THE UTAH SUPREME COURT, was read for the first time and referred to the Rules Committee.

#### **PERSONNEL MANAGEMENT ACT REVISION**

##### **S.B. 142**

*Terry R. Spencer*

THIS ACT MODIFIES THE PERSONNEL MANAGEMENT ACT BY ADJUSTING REQUIREMENTS FOR SALARY RANGES IN PAY PLANS AND BY ADJUSTING MERIT STEP INCREMENTS, was read for the first time and referred to the Rules Committee.

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On motion of Senator Poulton, the Senate moved to Second Reading Calendar.

#### **SECOND READING CALENDAR**

On motion of Senator Poulton, under suspension of rules, **S.J.R. 5** was moved to the top of the Second Reading Calendar.

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On motion of Senator Valentine, under suspension of the rules, **S.J.R. 5**, RESOLUTION RECOGNIZING CONTRIBUTIONS OF RICHARD STRONG, was read the second and third times. The bill was read before the Senate.

On motion of Senator Poulton, Richard V. Strong spoke in Committee of the Whole. Senators Poulton, Dmitrich, Davis, Julander, Valentine, Blackham, Knudson, Steele, Hillyard, Peterson, and Mansell commented.

On motion of Senator Poulton, the Senate dissolved the Committee of the Whole

The bill passed on the following roll call:

**Yeas, 29; Nays, 0; Absent, 0.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Dmitrich	Eastman
Evans	Gladwell	Hale	Hellewell
Hickman	Hillyard	Jenkins	Julander
Knudson	Mayne	Peterson	Poulton
Spencer	Steele	Stephenson	Suazo
Valentine	Waddoups	Walker	Wright
Mansell			

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On motion of Senator Steele, the Senate moved to the Third Reading Calendar.

### **THIRD READING CALENDAR**

**S.B. 11**, ELECTRONIC GOVERNMENT SERVICES AMENDMENTS - DRIVERS LICENSE, was read the third time.

On motion of Senator Suazo, the bill was circled.

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**Sub. S.B. 25**, ATHLETIC COMMISSION RESPONSIBILITIES, was read the third time, explained by Senator Suazo, and passed on the following roll call:

**Yeas, 27; Nays, 0; Absent, 2.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Bramble	Buttars
Davis	Dmitrich	Eastman	Evans
Gladwell	Hale	Hellewell	Hickman

Hillyard	Jenkins	Julander	Knudson
Mayne	Peterson	Poulton	Spencer
Stephenson	Suazo	Valentine	Waddoups
Walker	Wright	Mansell	

**Absent or not voting were:** Senators  
Blackham Steele

**Sub. S.B. 25** was transmitted to the House.

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On motion of Senator Steele, the Senate returned to Second Reading Calendar.

## SECOND READING CALENDAR

**S.B. 44**, FEES PAYABLE TO THE COMMISSIONER OF FINANCIAL INSTITUTIONS, was read the second time. Senator Spencer explained the bill. The bill passed on the following roll call:

**Yeas, 26; Nays, 0; Absent, 3.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Bramble	Davis
Dmitrich	Eastman	Evans	Gladwell
Hale	Hellewell	Hickman	Hillyard
Jenkins	Julander	Knudson	Mayne
Peterson	Poulton	Spencer	Stephenson
Suazo	Valentine	Waddoups	Walker
Wright	Mansell		

**Absent or not voting were:** Senators

Blackham Buttars Steele

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**S.B. 95**, WORKERS' COMPENSATION ADVISORY COUNCIL AMENDMENTS, was read the second time. Senator Mayne explained the bill. The bill passed on the following roll call:

**Yeas, 26; Nays, 0; Absent, 3.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Bramble	Davis
Dmitrich	Eastman	Evans	Gladwell

Hale	Hellewell	Hickman	Hillyard
Jenkins	Julander	Knudson	Mayne
Peterson	Poulton	Spencer	Stephenson
Suazo	Valentine	Waddoups	Walker
Wright	Mansell		

**Absent or not voting were:** Senators

Blackham	Buttars	Steele
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**S.B. 96**, COMMERCIAL DRIVERS LICENSE MEDICAL WAIVERS, was read the second time. Senator Mayne explained the bill. The bill passed on the following roll call:

**Yeas, 26; Nays, 0; Absent, 3.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Blackham	Bramble
Davis	Dmitrich	Eastman	Evans
Gladwell	Hale	Hellewell	Hickman
Hillyard	Jenkins	Julander	Mayne
Peterson	Poulton	Steele	Stephenson
Suazo	Valentine	Waddoups	Walker
Wright	Mansell		

**Absent or not voting were:** Senators

Buttars	Knudson	Spencer
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On motion of Senator Steele, the Senate returned to the Third Reading Calendar.

### **THIRD READING CALENDAR**

On motion of Senator Steele, the circle was removed from **S.B. 16**, TEACHER QUALITY AMENDMENTS, and it was before the Senate. Senator Steele explained the bill.

On motion of Senator Steele, the bill was amended as follows:

1. Page 21, Line 622:  
After "Education" delete "and" and insert "or"



2. Page 21, Line 623:  
After “shall” delete “jointly”
3. Page 21, Line 631:  
After “Regents” delete “and the State Board of Education”
4. Page 21, Line 633:  
After “Regents” delete “and State Board of Education”
5. Page 21, Line 637:  
After “of” delete “Education” and insert “Regents”
6. Page 21, Line 638:  
After “not” delete “teach” and insert “work” and after “system” insert “or a private school within the state”
7. Page 22, Line 648:  
After “licensing” insert “or advanced licensing” and after “met” delete “, whichever is shorter”
8. Page 22, Line 650:  
After “Regents” delete “and State Board of Education”
9. Page 22, Line 651:  
After “pursue” delete “a”
10. Page 22, Line 652:  
Delete “teaching” and insert “an education” and after “system” insert “or a private school within the state”
11. Page 22, Line 669:  
Delete “and numbers”
12. Page 22, Line 670:  
After “(a)” delete “up to 200”
13. Page 22, Line 672:  
After “(b)” delete “up to 165”

On motion of Senator Steele, the bill was circled.

On motion of Senator Steele, the circle was removed from **S.B. 11**, ELECTRONIC GOVERNMENT SERVICES AMENDMENTS - DRIVERS LICENSE, and it was before the Senate. Senator Steele explained the bill. The bill passed on the following roll call:

**Yeas, 27; Nays, 0; Absent, 2.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Dmitrich	Eastman
Evans	Gladwell	Hale	Hellewell
Hickman	Hillyard	Jenkins	Julander
Knudson	Mayne	Peterson	Poulton
Steele	Suazo	Valentine	Waddoups
Walker	Wright	Mansell	

**Absent or not voting were:** Senators

Spencer                      Stephenson

**S.B. 11** was transmitted to the House.

On motion of Senator Steele, the Senate returned to the Second Reading Calendar.

## **SECOND READING CALENDAR**

**S.B. 28**, UTAH PERFORMANCE ASSESSMENT FOR STUDENTS AMENDMENTS, was read the second time.

On motion of Senator Poulton, the bill was circled.

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On motion of Senator Valentine, the Senate voted to reconsider its action on **S.B. 38**. The bill was placed at the bottom of the Second Reading Calendar.

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**S.B. 35**, PUBLIC EDUCATION CAPITAL OUTLAY ACT AMENDMENTS, was read the second time. Senator Waddoups explained the bill. Senator Peterson commented. The bill passed on the following roll call:

**Yeas, 26; Nays, 0; Absent, 3.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Bramble	Buttars
Dmitrich	Eastman	Evans	Gladwell
Hale	Hellewell	Hillyard	Jenkins
Julander	Knudson	Mayne	Peterson

Poulton	Spencer	Steele	Stephenson
Suazo	Valentine	Waddoups	Walker
Wright	Mansell		

**Absent or not voting were:** Senators

Blackham	Davis	Hickman
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**S.B. 30, FILING EMPLOYEE TAX INFORMATION ELECTRONICALLY,** was read the second time. Senator Steele explained the bill. The bill passed on the following roll call:

**Yeas, 28; Nays, 0; Absent, 1.****Voting in the affirmative were:** Senators

E. Allen	R. Allen	Bramble	Buttars
Davis	Dmitrich	Eastman	Evans
Gladwell	Hale	Hellewell	Hickman
Hillyard	Jenkins	Julander	Knudson
Mayne	Peterson	Poulton	Spencer
Steele	Stephenson	Suazo	Valentine
Waddoups	Walker	Wright	Mansell

**Absent or not voting was:** Senator

Blackham

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**S.B. 21, INFORMATION TECHNOLOGY COMMISSION AMENDMENTS,** was read the second time. Senator Steele explained the bill. The bill passed on the following roll call:

**Yeas, 29; Nays, 0; Absent, 0.****Voting in the affirmative were:** Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Dmitrich	Eastman
Evans	Gladwell	Hale	Hellewell
Hickman	Hillyard	Jenkins	Julander
Knudson	Mayne	Peterson	Poulton
Spencer	Steele	Stephenson	Suazo
Valentine	Waddoups	Walker	Wright
Mansell			

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**S.B. 41**, UTAH COORDINATE SYSTEM AMENDMENTS, was read the second time. Senator Hellewell explained the bill. The bill passed on the following roll call:

**Yeas, 27; Nays, 0; Absent, 2.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Eastman	Evans
Gladwell	Hale	Hellewell	Hillyard
Jenkins	Julander	Knudson	Mayne
Peterson	Poulton	Spencer	Steele
Stephenson	Suazo	Valentine	Waddoups
Walker	Wright	Mansell	

**Absent or not voting were:** Senators

Dmitrich	Hickman
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**S.B. 90**, VETERANS MEMORIALS ERECTED AND MAINTAINED BY COUNTIES, was read the second time. Senator Davis explained the bill. The bill passed on the following roll call:

**Yeas, 26; Nays, 0; Absent, 3.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Buttars	Davis
Dmitrich	Eastman	Evans	Gladwell
Hale	Hellewell	Hickman	Hillyard
Jenkins	Julander	Knudson	Mayne
Peterson	Poulton	Spencer	Steele
Stephenson	Suazo	Valentine	Waddoups
Walker	Mansell		

**Absent or not voting were:** Senators

Blackham	Bramble	Wright
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**S.B. 98**, LOCATING TELECOMMUNICATIONS FACILITIES, was read the second time. Senator Ron Allen explained the bill. The bill passed on the following roll call:

**Yeas, 27; Nays, 0; Absent, 2.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Bramble	Buttars
Davis	Dmitrich	Eastman	Evans
Gladwell	Hale	Hellewell	Hickman
Hillyard	Jenkins	Julander	Knudson
Mayne	Peterson	Poulton	Spencer
Steele	Stephenson	Suazo	Valentine
Waddoups	Walker	Wright	

**Absent or not voting were:** Senators

Blackham	Mansell
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**COMMUNICATIONS FROM THE GOVERNOR**

Mr. President: December 7, 2000

In accordance with Sections 67-1-1 and 2, Utah Code Annotated 1953, I propose and transmit the following appointment:

**JUVENILE COURT**

Thomas M. Higbee appointed as a Judge of the Juvenile Court of the Fifth Judicial District. Utah Constitution Article VIII, Section 8 and Section 78-3a-107, Utah Code Annotated 1953, as amended; and

Mr. President: January 8, 2001

In accordance with Sections 67-1-1 and 2, Utah Code Annotated 1953, I propose and transmit the following appointments:

**DEPARTMENT OF CORRECTIONS**

Michael Chabries appointed as the Executive Director of the Department of Corrections. Section 64-13-3, Utah Code Annotated 1953, as amended.

**DEPARTMENT OF PUBLIC SAFETY**

Robert Lee Flowers appointed as the Commissioner of Public Safety for a term to expire June 30, 2005. Section 53-1-107, Utah Code Annotated 1953, as amended.

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On motion of Senator Poulton, the Senate voted to consent to the appointments of the Governor. The motion passed on the following roll call:



Mr. President:

January 23, 2001

The House passed, as substituted, **1st Sub. H.B. 14**, UNDERGROUND WASTEWATER DISPOSAL SYSTEMS, by Representative T. Hatch, and it is transmitted for consideration; and

The House passed **H.B. 184**, PUBLIC UTILITIES AMENDMENTS--REPEAL, by Representative D. Ure, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 201**, REVISIONS TO DRIVING UNDER THE INFLUENCE, by Representative A.L. Tyler, and it is transmitted for consideration.

Carole E. Peterson, Chief Clerk

Communications filed. **Sub. H.B. 14**, **H.B. 184**, and, **H.B. 201** were read the first time and referred to the Rules Committee.

### **RULES COMMITTEE REPORTS**

To the Members of the Senate:

January 23, 2001

The Rules Committee recommends assignment of the following bills to standing committees:

#### **Business, Labor & Economic Development**

**H.B. 191** Liquor Package Agency Contracts (M. Styler)

**H.B. 205** Employers' Reinsurance Fund Special Assessment  
(G. Adair)

#### **Education**

**S.B. 102** Middle Schools Exit Requirements (D. Gladwell)

#### **Energy, Natural Resources & Agriculture**

**S.B. 19** Ice Cream and Milk Dispenser Requirements (G. Davis)

**S.B. 113** Uintah Basin Revitalization Fund Amendments  
(B. Evans)

#### **Health & Environment**

**S.B. 112** Appropriation for Assistive Technology (P. Knudson)

#### **Human Services**

**S.B. 119** Child Welfare Records Amendments (L. Hillyard)

#### **Transportation & Public Safety**

**S.B. 52** Commercial Drivers License Railroad and Highway  
Grade Requirements (D. Steele)

**S.B. 56** Driving Under the Influence Penalty Amendments  
(K. Hale)  
**H.B. 41** Fire Prevention Amendments (K. Bryson)  
**H.B. 63** Off-highway Vehicle Registration Amendments  
(B. Goodfellow)

Michael Waddoups  
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted.

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Mr. President: January 23, 2001

The Rules Committee recommends the assignment of the following Resolution to the second reading calendar:

**H.J.R. 3** Joint Resolution Approving Appointment of Director (K. Garn)

Michael Waddoups  
Rules Committee Chair

Report filed. On motion of Senator Waddoups, the committee report was adopted

## **INTRODUCTION OF BILLS**

### **MARKETING AND DISTRIBUTION OF PRESCRIPTION DRUGS**

**S.B. 143** *Dan R. Eastman*

THIS ACT MODIFIES THE INSURANCE CODE TO PROHIBIT INSURANCE COMPANIES FROM STRUCTURING HEALTH CARE CONTRACTS SO THAT OUT-OF-STATE MAIL SERVICE PHARMACIES MAY OFFER BENEFITS TO INSURED INDIVIDUALS THAT IN-STATE PHARMACIES MAY NOT OFFER, was read for the first time and referred to the Rules Committee.

### **CRIMINAL RESTITUTION CHANGES**

**S.B. 144** *Terry R. Spencer*

THIS ACT MODIFIES THE CODE OF CRIMINAL PROCEDURE, CREATING THE CRIME VICTIMS RESTITUTION ACT. THE ACT DEFINES TERMS AND SETS OUT PROCEDURES FOR COLLECTING RESTITUTION FROM PERSONS CONVICTED OF A CRIME AND ORDERED BY A COURT



TO PAY RESTITUTION TO THEIR VICTIMS. THE ACT REQUIRES INPUT ON THE ISSUE OF RESTITUTION FROM LAW ENFORCEMENT AGENCIES, PROSECUTORS, AND THE DEPARTMENT OF CORRECTIONS. IN ADDITION, THE DEFENDANT IS REQUIRED TO PROVIDE INFORMATION TO THE COURT TO HELP THE COURT DETERMINE RESTITUTION. THE ACT ALSO PROVIDES A MECHANISM BY WHICH A RESTITUTION ORDER CAN BE ENFORCED THROUGH A CIVIL ACTION AND DECLARES THAT IT IS NONDISCHARGEABLE IN BANKRUPTCY. PRIORITY, ENFORCEMENT, AND COLLECTION OF RESTITUTION IS ALSO ADDRESSED, was read for the first time and referred to the Rules Committee.

#### **JOINT RESOLUTION RECOGNIZING LIBERTY DAY**

##### **S.J.R. 6**

*Ed P. Mayne*

THIS JOINT RESOLUTION OF THE LEGISLATURE DESIGNATES MARCH 16, 2001 AS LIBERTY DAY IN THE STATE OF UTAH. THE RESOLUTION URGES THE CITIZENS OF UTAH TO REFLECT ON THE FREEDOMS GRANTED TO THEM IN THE DECLARATION OF INDEPENDENCE AND THE UNITED STATES CONSTITUTION, was read for the first time and referred to the Rules Committee.

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On motion of Senator Poulton **H.B.184** was lifted from the Rules Committee and placed at the top of the Second Reading Calendar.

#### **SECOND READING CALENDAR**

**H.B. 184**, PUBLIC UTILITIES AMENDMENTS - REPEAL, was read the second time.

On motion of Senator Poulton, the bill was circled.

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On motion of Senator Steele, the Senate returned to Third Reading Calendar.

#### **THIRD READING CALENDAR**

On motion of Senator Steele, the circle was removed from **S.B. 16**, TEACHER QUALITY AMENDMENTS, and it was before the Senate. On motion of Senator Wright, the bill was amended as follows:

1. Page 15, Line 460  
After “qualifications” insert “or extensive job experience in the public or private sector in such areas as mathematics, science, business, information technology, and applied technology.”
2. Page 16, Line 471-472:  
After “board” insert a period and delete the rest of line 471 and line 472.

The bill, as amended, passed on the following roll call:

**Yeas, 29; Nays, 0; Absent, 0.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Dmitrich	Eastman
Evans	Gladwell	Hale	Hellewell
Hickman	Hillyard	Jenkins	Julander
Knudson	Mayne	Peterson	Poulton
Spencer	Steele	Stephenson	Suazo
Valentine	Waddoups	Walker	Wright
Mansell			

**S.B. 16** was transmitted to the House.

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On motion of Senator Blackham, the Senate returned to Second Reading Calendar.

## **SECOND READING CALENDAR**

On motion of Senator Blackham, under suspension of the rules, **H.B. 184**, PUBLIC UTILITIES AMENDMENTS - REPEAL, was read the second and third times. Senator Blackham explained the bill. Senators R. Allen and Mayne commented. The bill passed on the following roll call:

**Yeas, 28; Nays, 1; Absent, 0.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Blackham	Bramble
Buttars	Davis	Dmitrich	Eastman
Evans	Gladwell	Hale	Hellewell

Hickman	Hillyard	Jenkins	Julander
Knudson	Mayne	Peterson	Poulton
Steele	Stephenson	Suazo	Valentine
Waddoups	Walker	Wright	Mansell

**Voting in the negative was:** Senator  
Spencer

**H.B. 184** was signed by the President of the Senate in open session and returned to the House.

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**S.B. 48**, PASSENGER LIMITATIONS FOR YOUNG DRIVERS, was read the second time. Senator Hale explained the bill. Senators Bramble, Wright, R. Allen, Walker, Spencer, Waddoups, Steele, Davis, Ed Allen, Hillyard, Jenkins, Hickman, and Valentine commented The bill passed on the following roll call:

**Yeas, 23; Nays, 5; Absent, 1.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Bramble	Buttars
Davis	Dmitrich	Eastman	Evans
Gladwell	Hale	Hickman	Jenkins
Julander	Knudson	Mayne	Peterson
Poulton	Steele	Suazo	Valentine
Waddoups	Walker	Mansell	

**Voting in the negative were:** Senators

Hellewell	Hillyard	Spencer	Stephenson
Wright			

**Absent or not voting was:** Senator  
Blackham

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## INTRODUCTION OF BILLS

### BONDING FOR SOLDIER HOLLOW GOLF COURSE

**S.B. 65**

*David H. Steele*

THIS ACT MODIFIES PROVISIONS RELATED TO BONDING. THE ACT AUTHORIZES THE STATE BUILDING OWNERSHIP AUTHORITY TO

ISSUE REVENUE BONDS FOR FUNDING THE CONSTRUCTION OF A 36-HOLE GOLF COURSE AT SOLDIER HOLLOW IN THE WASATCH MOUNTAIN STATE PARK, was read for the first time and referred to the Rules Committee.

#### **THEFT OF RENTAL MOTOR VEHICLE**

**S.B. 88**

*Bill Wright*

THIS ACT MODIFIES THE CRIMINAL CODE BY ESTABLISHING THE SPECIFIC OFFENSE OF THEFT OF A RENTAL VEHICLE. THE ACT STATES THAT FAILURE TO RETURN THE VEHICLE WITHIN 72 HOURS AFTER THE DATE THE VEHICLE IS DUE TO BE RETURNED IS THE CRIMINAL OFFENSE OF THEFT, was read for the first time and referred to the Rules Committee.

#### **STATE PARKS ACCESS ROADS AMENDMENTS**

**S.B. 89**

*Peter C. Knudson*

THIS ACT MODIFIES THE TRANSPORTATION CODE TO EXTEND THE STATE PARK ACCESS HIGHWAY FOR HYRUM STATE PARK, was read for the first time and referred to the Rules Committee.

#### **METROPOLITAN WATER DISTRICT BOARD AMENDMENTS**

**S.B. 145**

*Carlene M. Walker*

THIS ACT MODIFIES PROVISIONS RELATING TO SPECIAL DISTRICTS TO MODIFY THE NUMBER OF MEMBERS OF A METROPOLITAN WATER DISTRICT BOARD OF TRUSTEES AND TO REPEAL OBSOLETE LANGUAGE RELATING TO THE STATUS OF BOARD OF TRUSTEES MEMBERS SERVING AT THE TIME OF A PRIOR AMENDMENT, was read for the first time and referred to the Rules Committee.

#### **PERFORMING UNLAWFUL MARRIAGES**

**S.B. 146**

*Ron Allen*

THIS ACT MODIFIES PROVISIONS PERTAINING TO MARRIAGE. THE ACT PROVIDES SPECIFIC PENALTIES FOR PERFORMING MARRIAGES WITHOUT AUTHORITY OR A VALID LICENSE. IT ALSO PROVIDES A PENALTY FOR A PARENT OR GUARDIAN WHO ALLOWS A MINOR CHILD TO BE MARRIED IN VIOLATION OF THE LAW, was read for the first time and referred to the Rules Committee.

# **JOINT RESOLUTION RECOGNIZING LIBERTY DAY**

## **S.J.R. 6**

*Ed P. Mayne*

THIS JOINT RESOLUTION OF THE LEGISLATURE DESIGNATES MARCH 16, 2001 AS LIBERTY DAY IN THE STATE OF UTAH. THE RESOLUTION URGES THE CITIZENS OF UTAH TO REFLECT ON THE FREEDOMS GRANTED TO THEM IN THE DECLARATION OF INDEPENDENCE AND THE UNITED STATES CONSTITUTION, was read for the first time and referred to the Rules Committee.

## **RESOLUTION ADDRESSING STUDY OF CONSUMER CREDIT REPORTING LAWS**

## **S.J.R. 7**

*Gene Davis*

THIS JOINT RESOLUTION ENCOURAGES THE STUDY OF CONSUMER CREDIT REPORTING LAWS DURING THE 2001 INTERIM BY THE BUSINESS, LABOR, AND ECONOMIC DEVELOPMENT INTERIM COMMITTEE, was read for the first time and referred to the Rules Committee.

## **SECOND READING CALENDAR**

On motion of Senator Stephenson, the circle was removed from **S.B. 28**, UTAH PERFORMANCE ASSESSMENT FOR STUDENTS AMENDMENTS, and it was before the Senate. Senator Stephenson explained the bill. The bill passed on the following roll call:

**Yeas, 28; Nays, 0; Absent, 1.**

### **Voting in the affirmative were:** Senators

E. Allen	R. Allen	Bramble	Buttars
Davis	Dmitrich	Eastman	Evans
Gladwell	Hale	Hellewell	Hickman
Hillyard	Jenkins	Julander	Knudson
Mayne	Peterson	Poulton	Spencer
Steele	Stephenson	Suazo	Valentine
Waddoups	Walker	Wright	Mansell

**Absent or not voting was:** Senator  
Blackham

\* \* \*

On motion of Senator Poulton, and at 3:30 p.m., the Senate adjourned until 10:00 a.m., Wednesday, January 24, 2001.

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Assigned to standing committee	34
Placed on calendar	162
<b>S.B. 40 -- PENALTY FOR USE OF DYED DIESEL (D. Eastman)</b>	
Read for the first time and referred to the Rules Committee	22
Assigned to standing committee	34
Placed on calendar	75
Amendments	75
Read the second time	122
Amendments	122
Read the third time	142
Transmitted to the House	143
<b>S.B. 41 -- UTAH COORDINATE SYSTEM AMENDMENTS (P. Hellewell)</b>	
Read for the first time and referred to the Rules Committee	22
Assigned to standing committee	52
Placed on calendar	116
Read the second time	170
<b>S.B. 42 -- EQUITY IN PRESCRIPTION COVERAGE (P. Julander)</b>	
Read for the first time and referred to the Rules Committee	23
<b>S.B. 43 -- MOBILE HOME PARK RESIDENCY (M. Peterson)</b>	
Read for the first time and referred to the Rules Committee	23
Assigned to standing committee	93
<b>S.B. 44 -- FEES PAYABLE TO THE COMMISSIONER OF FINANCIAL INSTITUTIONS (T. Spencer)</b>	
Read for the first time and referred to the Rules Committee	23
Assigned to standing committee	51
Placed on calendar	116
Read the second time	165

<b>S.B. 45</b> -- DRIVER LICENSE AMENDMENTS ( <i>M. Peterson</i> )	
Read for the first time and referred to the Rules Committee	24
<b>S.B. 46</b> -- DECEPTION DETECTION EXAMINERS LICENSING ACT AMENDMENTS ( <i>J. Hickman</i> )	
Read for the first time and referred to the Rules Committee	24
Assigned to standing committee	51
<b>S.B. 47</b> -- BALLOT REQUIREMENTS ON LEGISLATIVE AND INITIATIVE PROPOSALS ( <i>M. Peterson</i> )	
Read for the first time and referred to the Rules Committee	24
Assigned to standing committee	138
<b>S.B. 48</b> -- PASSENGER LIMITATIONS FOR YOUNG DRIVERS ( <i>K. Hale</i> )	
Read for the first time and referred to the Rules Committee	24
Assigned to standing committee	94
Amendments	139
Committee report adopted and placed on calendar	139
Read the second time	177
<b>S.B. 49</b> -- AVIATION FUEL TAX ( <i>J. Valentine</i> )	
Read for the first time and referred to the Rules Committee	24
<b>S.B. 50</b> -- PROPERTY EXEMPT FROM EXECUTION ( <i>C. Walker</i> )	
Read for the first time and referred to the Rules Committee	25
Assigned to standing committee	160
<b>S.B. 51</b> -- WATER RIGHT TRANSFER AMENDMENTS ( <i>L. Blackham</i> )	
Read for the first time and referred to the Rules Committee	25
Assigned to standing committee	114
<b>S.B. 52</b> -- COMMERCIAL DRIVERS LICENSE RAILROAD AND HIGHWAY GRADE REQUIREMENTS ( <i>D. Steele</i> )	
Read for the first time and referred to the Rules Committee	25
Assigned to standing committee	173
<b>S.B. 53</b> -- TRUST DEED LAW AMENDMENTS ( <i>M. Waddoups</i> )	
Read for the first time and referred to the Rules Committee	25
Assigned to standing committee	114
<b>S.B. 54</b> -- EDUCATION ROUNDTABLE ( <i>D.C. Buttars</i> )	
Read for the first time and referred to the Rules Committee	26
Assigned to standing committee	114
<b>S.B. 55</b> -- NONPARTISAN ELECTION COMMISSION ( <i>D. Allen</i> )	
Read for the first time and referred to the Rules Committee	53
<b>S.B. 56</b> -- DRIVING UNDER THE INFLUENCE PENALTY AMENDMENTS ( <i>K. Hale</i> )	
Read for the first time and referred to the Rules Committee	53
Assigned to standing committee	174
<b>S.B. 57</b> -- INSTRUCTION IN MANDARIN CHINESE IN PUBLIC SCHOOLS ( <i>H. Stephenson</i> )	
Read for the first time and referred to the Rules Committee	76
<b>S.B. 58</b> -- REPEAL OF NURSING FACILITIES ASSESSMENT ( <i>P. Knudson</i> )	
Read for the first time and referred to the Rules Committee	95
<b>S.B. 59</b> -- LICENSING OF GENETIC COUNSELORS ( <i>P. Julander</i> )	
Read for the first time and referred to the Rules Committee	95
<b>S.B. 60</b> -- UNIFORM ATHLETE AGENTS ACT ( <i>L. Hillyard</i> )	
Read for the first time and referred to the Rules Committee	116
<b>S.B. 61</b> -- ENHANCEMENTS TO THE STATE SYSTEMS OF PUBLIC AND HIGHER EDUCATION ( <i>L. Hillyard</i> )	
Read for the first time and referred to the Rules Committee	116
<b>S.B. 62</b> -- OPTIONAL COUNTY AFFORDABLE HOUSING FUNDS ACT ( <i>K. Hale</i> )	
Read for the first time and referred to the Rules Committee	117
<b>S.B. 63</b> -- RESIDENTIAL PROPERTY TAX EXEMPTION - SECONDARY RESIDENCES ( <i>E. Mayne</i> )	
Read for the first time and referred to the Rules Committee	117
<b>S.B. 64</b> -- ADOPTION LAW AMENDMENTS ( <i>T. Spencer</i> )	
Read for the first time and referred to the Rules Committee	162
<b>S.B. 65</b> -- BONDING FOR SOLDIER HOLLOW GOLF COURSE ( <i>D. Steele</i> )	
Read for the first time and referred to the Rules Committee	177
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Read for the first time and referred to the Rules Committee	178
<b>S.B. 89</b> -- STATE PARKS ACCESS ROADS AMENDMENTS ( <i>P. Knudson</i> )	
Read for the first time and referred to the Rules Committee	178
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Read for the first time and referred to the Rules Committee	26
Assigned to standing committee	51
Committee report adopted and placed on calendar	139
Read the second time	170
<b>S.B. 91</b> -- CHILD FIREARM ACCESS PREVENTION AMENDMENTS ( <i>P. Julander</i> )	
Read for the first time and referred to the Rules Committee	26
<b>S.B. 92</b> -- PUBLIC SAFETY RETIREMENT AMENDMENTS ( <i>M. Dmitrich</i> )	
Read for the first time and referred to the Rules Committee	27

<b>S.B. 93</b> -- REGULATING GIFTS TO LEGISLATORS FROM LOBBYISTS ( <i>M. Peterson</i> )	
Read for the first time and referred to the Rules Committee	27
<b>S.B. 94</b> -- DRIVER LICENSE REPORTING ( <i>M. Peterson</i> )	
Read for the first time and referred to the Rules Committee	27
<b>S.B. 95</b> -- WORKERS' COMPENSATION ADVISORY COUNCIL AMENDMENTS ( <i>E. Mayne</i> )	
Read for the first time and referred to the Rules Committee	27
Assigned to standing committee	51
Placed on calendar	116
Read the second time	165
<b>S.B. 96</b> -- COMMERCIAL DRIVERS LICENSE MEDICAL WAIVERS ( <i>E. Mayne</i> )	
Read for the first time and referred to the Rules Committee	28
Assigned to standing committee	51
Placed on calendar	116
Read the second time	166
<b>S.B. 97</b> -- SPECIAL NEEDS ADOPTION SERVICES ( <i>L. Hillyard</i> )	
Read for the first time and referred to the Rules Committee	28
Assigned to standing committee	51
Amendments	105
Committee report adopted and placed on calendar	106
Read the second time	119
Substituted	119
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Amendments	146
Read the second time	146
Circled	147
<b>S.B. 98</b> -- LOCATING TELECOMMUNICATIONS FACILITIES ( <i>R. Allen</i> )	
Read for the first time and referred to the Rules Committee	28
Assigned to standing committee	51
Committee report adopted and placed on calendar	139
Read the second time	170
<b>S.B. 99</b> -- REVISOR'S STATUTE ( <i>M. Waddoups</i> )	
Read for the first time and referred to the Rules Committee	28
Placed on calendar	94
Read the second time	122
Read the third time	144
Transmitted to the House	144
<b>S.B. 100</b> -- INSURANCE LAW AMENDMENTS ( <i>L. Poulton</i> )	
Read for the first time and referred to the Rules Committee	29
<b>S.B. 100</b> -- INSURANCE LAW AMENDMENTS ( <i>L.S. Poulton</i> )	
Assigned to standing committee	160
<b>S.B. 101</b> -- UNLAWFUL USE OF LASER POINTERS ( <i>D.E. Allen</i> )	
Read for the first time and referred to the Rules Committee	30
Assigned to standing committee	93
<b>S.B. 102</b> -- MIDDLE SCHOOLS EXIT REQUIREMENTS ( <i>D. Gladwell</i> )	
Read for the first time and referred to the Rules Committee	30
Assigned to standing committee	173
<b>S.B. 103</b> -- ATTEMPTED MURDER AMENDMENTS ( <i>D. Gladwell</i> )	
Read for the first time and referred to the Rules Committee	31
Assigned to standing committee	160
<b>S.B. 104</b> -- MENTAL HEALTH PRACTICE AMENDMENTS ( <i>K. Hale</i> )	
Read for the first time and referred to the Rules Committee	31
Assigned to standing committee	160
<b>S.B. 105</b> -- STATE SETTLEMENT AGREEMENTS AMENDMENTS ( <i>P. Knudson</i> )	
Read for the first time and referred to the Rules Committee	31
Assigned to standing committee	160
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Read for the first time and referred to the Rules Committee	43
Assigned to standing committee	138
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Read for the first time and referred to the Rules Committee	43
Assigned to standing committee	114
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Read for the first time and referred to the Rules Committee	49
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Read for the first time and referred to the Rules Committee	49
<b>S.B. 110</b> -- CRIMINAL PROCEDURE AMENDMENTS ( <i>L. Hillyard</i> )	
Read for the first time and referred to the Rules Committee	96
<b>S.B. 111</b> -- CONFLICT OF INTEREST INVESTIGATIONS INTO ALLEGATION OF CHILD ABUSE OR NEGLECT ( <i>D. Buttars</i> )	
Read for the first time and referred to the Rules Committee	76

<b>S.B. 111</b> -- CONFLICT OF INTEREST INVESTIGATIONS INTO ALLEGATION OF CHILD ABUSE OR NEGLECT ( <i>D.C. Butters</i> )	
Assigned to standing committee	160
<b>S.B. 112</b> -- APPROPRIATION FOR ASSISTIVE TECHNOLOGY ( <i>P. Knudson</i> )	
Read for the first time and referred to the Rules Committee	76
Assigned to standing committee	173
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Read for the first time and referred to the Rules Committee	76
Assigned to standing committee	173
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Read for the first time and referred to the Rules Committee	77
Assigned to standing committee	160
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Read for the first time and referred to the Rules Committee	77
Assigned to standing committee	138
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Read for the first time and referred to the Rules Committee	77
<b>S.B. 117</b> -- GUARDIAN AD LITEM AMENDMENTS ( <i>L. Hillyard</i> )	
Read for the first time and referred to the Rules Committee	96
<b>S.B. 118</b> -- EMERGENCY MANAGEMENT ASSISTANCE ACT ( <i>L. Hillyard</i> )	
Read for the first time and referred to the Rules Committee	96
Assigned to standing committee	160
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Read for the first time and referred to the Rules Committee	97
Assigned to standing committee	173
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Read for the first time and referred to the Rules Committee	97
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Read for the first time and referred to the Rules Committee	97
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Read for the first time and referred to the Rules Committee	98
Assigned to standing committee	138
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Read for the first time and referred to the Rules Committee	98
<b>S.B. 124</b> -- EDUCATION RESOURCE CENTERS ( <i>B. Evans</i> )	
Read for the first time and referred to the Rules Committee	98
Assigned to standing committee	160
<b>S.B. 125</b> -- AGING AND ADULT SERVICES AMENDMENTS ( <i>D. Eastman</i> )	
Read for the first time and referred to the Rules Committee	98
<b>S.B. 126</b> -- PAYMENT OF INSURANCE CLAIMS ( <i>J. Valentine</i> )	
Read for the first time and referred to the Rules Committee	98
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Read for the first time and referred to the Rules Committee	127
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Read for the first time and referred to the Rules Committee	117
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Read for the first time and referred to the Rules Committee	118
<b>S.B. 130</b> -- R.S. 2477 AMENDMENTS ( <i>J. Hickman</i> )	
Read for the first time and referred to the Rules Committee	118
<b>S.B. 131</b> -- FIREFIGHTER RETIREMENT AMENDMENTS ( <i>G. Davis</i> )	
Read for the first time and referred to the Rules Committee	140
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Read for the first time and referred to the Rules Committee	140
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Read for the first time and referred to the Rules Committee	140
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Read for the first time and referred to the Rules Committee	140
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Read for the first time and referred to the Rules Committee	141
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Read for the first time and referred to the Rules Committee	141
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Read for the first time and referred to the Rules Committee	147
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Read for the first time and referred to the Rules Committee	147

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Read for the first time and referred to the Rules Committee	147
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Read for the first time and referred to the Rules Committee	148
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Read for the first time and referred to the Rules Committee	163
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Read for the first time and referred to the Rules Committee	163
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Read for the first time and referred to the Rules Committee	174
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Read for the first time and referred to the Rules Committee	174
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Read for the first time and referred to the Rules Committee	178
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Read for the first time and referred to the Rules Committee	178
<b>S.J.R. 1</b> -- JOINT RULES RESOLUTION - MINI APPROPRIATIONS PROCESS ( <i>L. Blackham</i> )	
Read for the first time and referred to the Rules Committee	31
Placed on calendar	35
Amendments	39
Read the second time	39
Read the third time	50
Transmitted to the House	50
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Read for the first time and referred to the Rules Committee	32
Placed on calendar	35
Read the second and third time	40
Transmitted to the House	41
Signed by the President and transmitted to the Governor	86
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Read for the first time and referred to the Rules Committee	32
Assigned to standing committee	52
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Read for the first time and referred to the Rules Committee	32
Placed on calendar	52
Read the second time	77
Read the third time	99
Transmitted to the House	99
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Read for the first time and referred to the Rules Committee	98
Placed on calendar	139
Read the second and third time	163
Signed by the President and transmitted to the Governor	172
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Read for the first time and referred to the Rules Committee	175, 179
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Read for the first time and referred to the Rules Committee	179
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Read for the first time and referred to the Rules Committee	32
Placed on calendar	52
Read the second time	78
Read the third time	99
Transmitted to the House	100
<b>S.R. 2</b> -- SENATE RULES RESOLUTION - USE OF MASON'S MANUAL ( <i>M. Waddoups</i> )	
Read for the first time and referred to the Rules Committee	118
Placed on calendar	161
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Read for the first time and referred to the Rules Committee	141